

Response to EPA Notice of Incomplete Application for Compliance Extension

October 25, 2018

Via E-Mail

Ms. Martha Segall
Acting Director
Monitoring, Assistance, and Media Programs Division
Office of Compliance, U.S. Environmental Protection Agency

Re: McAvoy Vitrified Brick Company
Request for Additional Information Regarding Compliance Extension Request Pursuant to
40 C.F.R. § 63.6(i)(4)(i)(A).

Dear Ms. Segall:

Thank you for your letter dated September 27, 2018, which McAvoy Vitrified Brick Company received on October 3, 2018, regarding our application for a one year extension of the December 26, 2018 compliance date pursuant to 40 C.F.R. § 63.6(i)(4)(i)(A), for the National Emission Standards for Hazardous Air Pollutants for Brick and Structure Clay Products Manufacturing (Brick MACT), at 40 C.F.R. Part 63, Subpart JJJJJ. Your letter requested additional information in order to complete our application for compliance extension originally submitted on August 24, 2018, pursuant to 40 C.F.R. § 63.6(i)(6)(i). We appreciate the opportunity to provide additional information with respect to our application for extension of the compliance date.

At the outset, we note that your letter stated that the requested information needed to be provided in a written submission within 15 days after being notified of that our application for compliance date extension was incomplete, citing 40 C.F.R. § 63.6(i)(13)(ii). That provision applies to compliance date extension applications submitted under 40 C.F.R. § 63.6(i)(4)(ii), which applies to a different set of circumstances than applicable here. McAvoy Vitrified Brick Company applied for a compliance date extension pursuant to 40 C.F.R. § 63.6(i)(4)(i)(A). Section 63.6(i)(12)(ii) governs the notification of an owner or operator regarding an incomplete application under 40 C.F.R. § 63.6(i)(4)(i), and provides that EPA “will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.” EPA confirmed *via* email correspondence between Ms. Sara Ayres and counsel for the Brick Industry Association, that the intended reference in EPA’s letter was 40 CFR §63.6(i)(12)(ii) and that the deadline for submittal is 30 days after receipt of EPA’s letter, according to the provisions discussed above. EPA also indicated that revised letters did not need to be sent and that companies could rely on the email exchange between Ms. Broome and Ms. Ayres. This response is timely because it is submitted within 30 days of receipt of EPA’s request for further information. We want to emphasize that if EPA has more questions on the application, even after reviewing the information we are now providing, we are willing to

provide what is needed to process the application and we request that you contact us for such information.

Accordingly, McAvoy Vitrified Brick Company is providing the following information to supplement our application for compliance extension and enable further processing, as requested in EPA's letter.

- The facility believes that is a minor source of HAPs based on current operations and data. The facility's actual emission have been at minor source levels for the past several years. McAvoy has been using a mass balance approach to determine the HF emissions based on analysis of the fluorine content. The mass balance approach assumes that entire fluorine content is converted to hydrogen fluoride. Based on USEPA's AP-42, Section 11.3 Brick and Structural Clay Product Manufacturing emission factors for HF and fluorides, sixty plus percent of the fluorine would be converted to hydrogen fluoride. Based on this information, McAvoy has recently conducted a stack test to confirm the HF emissions from the Brick Kiln Operation. We believe that this data will show that the facility is a minor source of hydrogen fluoride emission with a production limitation that the facility can maintain. The stack test was completed on September 12, 2018. We are expecting the results at the end of this month and a final report by mid-November 2018. McAvoy Vitrified Brick is planning to control emissions to below the major source thresholds by accepting a permit restriction on production utilizing the stack test results. Once the testing data is obtained, this will dictate the level/form of a permitted production restriction for McAvoy Vitrified Brick.
- The following schedule is expected to be followed:

Task	Date	Status
Stack Test Protocol	April 2018	Complete
Stack Test Protocol Approval	June 2018	Complete
Stack Test	September 2018	Complete
Stack Test Report	mid-November 2018	In Progress
Prepare and Submit Synthetic or Minor Source application	December 15, 2018	Will commence after results received
Permit issuance	When PA DEP issues the permit, but no later than December 26, 2019 ¹	Open

¹ The review and issuance is dependent on PADEP's processing time. McAvoy believes that PADEP should be able to issue the permit well before the December 26, 2019 deadline and will comply with the permit when it is issued.

Task	Date	Status
Final Compliance	Effective date of permit or December 26, 2019, whichever is earlier. ¹	Open

Please let us know if EPA has any questions with respect to the foregoing information or our application for compliance date extension. We appreciate EPA's consideration and would be happy to provide additional information to EPA, upon request.

Sincerely,



Creighton H. McAvoy, President

McAvoy Vitrefied Brick Company

cc: Sara Ayres, ayres.sara@epa.gov